IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

MFA.No. 1061 of 2000()

AGAINST THE JUDGMENT IN OP.(MV) 1438/93 DT. 29.4.2000 OF THE MOTOR ACCIDENT CLAIMS IRINJALAKUDA.

APPELLANT: PETITIONER IN OP.

PREETHA, AGED 23, D/O. SUKUMARAN,
KOLUTHOOPARAMBIL HOUSE,
THURAVANKADU DESOM,
PULLOOR VILLAGE & POST,
MUKUNDAPURAM TALUK.

BY ADV. SRI.P.V.BABY
SRI.A.N.SANTHOSH

RESPONDENTS: RESPONDENTS
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1. **K.J.JOBY, S/O. POULOSE JOSEPH,**
KARAVANKUDIRIL HOUSE,
PUNNAPPADY, PAZHAKKAPILLY P.O.,
MUVATTUPUZHA, ERNAKULAM.

2. **V.S.BEJOY, S/O. SUGUNAN, VELAMPARAMBIL HOUSE,**
PORATHUSSERY, IRINJALAKUDA.

3. **ORIENTAL INSURANCE CO. LTD.,**
MUVATTUPUZHA.

BY ADV. SRI.M.JACOB MURICKAN

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

tss

J.B. KOSHY & V. GIRI, JJ.

M.F.A.No. 1061 of 2000

Dated this the 17th day of August, 2007

Judgment

Koshy,J.

Appellant, at the age of 16, met with an accident by which she sustained serious injuries, namely, abrasions all over the body and was hospitalised for about a month in different hospitals. There was a scar on her left forearm and doctor advised for a plastic surgery for which Rs.5,000/- will be necessary. There was no permanent disability. Tribunal has awarded a total compensation of Rs.11,500/- with 12% interest. Only Rs.3,000/- was awarded towards disfiguration. For removal of the disfiguration, an amount of Rs.5,000/- is necessary as advised by the doctor. We award Rs.2,000/- more on this count. No further enhancement is necessary. The above amount of Rs.2,000/- now awarded over and above the decreed amount by the tribunal should be deposited by the third respondent insurance company with 7.5% interest from the date of application till its deposit.

On deposit of the amount, the appellant can withdraw the same.

The appeal is allowed partly.

J.B.KOSHY
JUDGE

V.GIRI
JUDGE

vaa

J.B. KOSHY AND
V.GIRI,JJ.

M.F.A.NO.1061/2000

Judgment

Dated:17th AUGUST, 2007